

**IN THE
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND**

JOHN NORMAN HUFFINGTON,

*

Plaintiff,

*

v.

* No. 1:25-cv-02313-BAH

DAVID SANEMAN, ET. AL.,

*

Defendants.

*

* * * * * * * * * * * *

MOTION TO DISMISS

Defendant, State's Attorney for Harford County¹, by her undersigned counsel, files this Motion to Dismiss, pursuant to Federal Rule of Civil Procedure 12(b)(6), and moves this Court to dismiss the official capacity claims against her in Plaintiff's Amended Complaint. (ECF No. 16.) The grounds for this motion are set out in the accompanying memorandum in support.

¹ The Amended Complaint names Diana Cassilly, as Personal Representative of the Estate of Joseph Ignatius Cassilly, deceased, in his official capacity. An estate cannot be sued in an official capacity; however, a State officer may be. When a State officer dies, an official capacity claim is made against the successor officer. *Kentucky v. Graham*, 472 U.S. 159, 165-168 (1985). At the time of the alleged acts in question, Mr. Cassilly was serving as State's Attorney for Harford County. The current State's Attorney for Harford County is Alison M. Healy.

Respectfully submitted,

ANTHONY G. BROWN
Attorney General of Maryland

/s/ Wendy L. Schiff

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November 4, 2025

Attorneys for Defendant
State's Attorney for Harford County

CERTIFICATE OF SERVICE

I certify that, on this 4th day of November, 2025 the foregoing was served by CM/ECF on all registered CMF users.

/s/ Wendy L. Schiff

Wendy L. Schiff

